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An Unsettling Question at Rome Trial

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ROME, Feb. 28 — A prosecutor's request for acquittal in the trial over the shooting of the Pope has raised the uncomfortable question of how Italy could hold a Bulgarian defendant for more than three years when the state's own prosecutor now admits there was insufficient evidence for conviction.

**News
Analysis**

The proposal by the prosecutor, Antonio Marini — that the Bulgarian, Sergei I. Antonov, and two other Bulgarian defendants, who are being tried in absentia, be "absolved for lack of proof" — would not amount to full absolution. Their defense attorneys have protested the proposal, demanding a full declaration of innocence.

But the recommendation, made to the jury of two judges and six lay jurors who will get the case after nearly nine months of intense debate, constituted an admission that the evidence against the Bulgarians was ambiguous at best.

To be sure, the jury could theoretically ignore the prosecutor's proposal and seek conviction — though it is thought very unlikely to do so.

In the defense camp, no one was raising accusatory fingers against Mr. Marini or Judge Ilario Martella, the investigating magistrate whose 23-month inquiry led to the trial.

Investigators 'Did Their Job'

"They did their job," said Giuseppe Consolo, the chief defense counsel for the Bulgarians. "They acted in honesty."

Still, questions arose.

"They might have detained him for two weeks, maybe more, but not for more than three years," Mr. Consolo said of Mr. Antonov.

Partly, the focus of the questioning is likely to be on the investigation by Judge Martella, who gained a reputation for independence and doggedness.

Mr. Consolo said Judge Martella had worked "honestly and carefully." And Mr. Marini, who had to bear the Martella banner into court, found words of praise in recent days for his laborious effort.

But it was Mr. Martella who elevated Mehmet Ali Agca, the Turk who was convicted of shooting Pope John Paul II in 1981, to the role of star witness. He sustained Mr. Agca's charges of Bulgarian involvement in the plot, despite repeated contradictions, backtracking and reversals in the Turk's account.

Nevertheless, Mr. Marini, in his summation, was generous in spreading

the blame elsewhere. He laid it heavily on the court and its presiding judge, Severino Santiapichi, who he said had worked admirably until about September and then sought little else but a rapid conclusion to the trial, evidently convinced that further searching for conclusive evidence was futile.

He also denounced the Bulgarian Government. Unlike Turkey, which left the four Turkish defendants to the workings of Italian justice, Bulgaria mounted a defense effort that prompted the prosecutor to accuse it of spreading a state-inspired smoke-screen around its citizens.

To be sure, more was at stake for the Bulgarians than for Turkey. For if Mr. Agca emerged as a paid mercenary, the imputed motive for the killing impugned only the Soviet Union and its East bloc allies. Born in the depths of the Soviet-American chill of 1981, the case quickly became a symbol reflecting the extent to which the Russians and their allies would go to annihilate resistance to Communism in Poland, which critics of Moscow saw as the most plausible motive for the attempted assassination of the Polish-born Pope.

But despite all these wide reproaches, Mr. Marini seemed aware throughout that the weakest link in his case remained Mr. Agca. As much as the prosecution sought to project its circumstantial evidence as so many struts to the Turk's basic assertions of Bulgarian complicity, it soon became evident that without his cooperation the case was destined to collapse.

Bulgaria Wants to Try Agca

For the Bulgarians and their defenders, it was clear that he was the culprit — the slanderer and fascist papal assassin, as he came to be called in the propaganda broadsides, who had been coached by Western intelligence to smear Bulgaria and the rest of the Soviet bloc. Bulgarian justice officials are even reviewing the possibility of a trial of the Turkish gunman on charges of slandering the Bulgarian nation.

For the prosecution, on the other hand, it was a pure case of desertion. Mr. Agca, for whatever motive, had joined the team in 1982, when he began cooperating with justice officials in sketching the Bulgarian connection, after deserting his original contention that he had acted alone.

But then, at the start of the trial, he inexplicably bolted. "He just switched teams," an official close to the prosecutor said.

The question that is likely to continue to be asked is: Just whose team was he on in the first place?